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MONTEREY, CALIFORNIA

THESIS

**FUSING THE FOUR CORNERS: INTEGRATING
INTELLIGENCE-LED POLICING WITHIN
NEW MEXICO'S RURAL AND TRIBAL COMMUNITIES**

by

Robert Vasquez

December 2018

Co-Advisors:

Patrick E. Miller (contractor)
Erik J. Dahl

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POLICING WITHIN NEW MEXICO'S RURAL AND TRIBAL COMMUNITIES**

Robert Vasquez
Deputy Chief of Police, Santa Fe Police Department
BA, New Mexico Highlands University, 2012

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**NAVAL POSTGRADUATE SCHOOL
December 2018**

Approved by: Patrick E. Miller
Co-Advisor

Erik J. Dahl
Co-Advisor

Erik J. Dahl
Associate Chair for Instruction
Department of National Security Affairs

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ABSTRACT

This thesis examines how New Mexico's state fusion center can develop a robust intelligence-led policing and all-hazards model for New Mexico and its rural and tribal communities. The research examines the principles behind intelligence-led policing and identifies best practices established by other local and state law enforcement organizations, focusing on how these practices are followed by fusion centers. Then, it conducts a close analysis of the New Mexico fusion center to determine, in light of best practices, how policies and procedures might be changed to better address rural and tribal concerns. A redefined intelligence and all-hazards mission, as described in this thesis, will provide all participating agencies with a universal definition of intelligence-led policing, will maintain and enhance community-policing efforts, and will establish a platform for contribution to the domestic intelligence cycle—fusing New Mexico's four-corner region, which is essential for leveraging resources to detect and disrupt organized criminal organizations and terrorism.

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LIST OF ACRONYMS AND ABBREVIATIONS

DHSEM	Department of Homeland Security and Emergency Management (New Mexico)
HSIN	Homeland Security Information Network
ILO	intelligence liaison officer
ILP	intelligence-led policing
MATRIX	Multi-Agency Tactical Response Information Exchange (El Paso, Texas)
NMASIC	New Mexico All Source Intelligence Center
NMSP	New Mexico State Police
ROIC	Regional Operations and Intelligence Center (New Jersey)

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EXECUTIVE SUMMARY

Collecting and sharing information is the heart of effective intelligence-led policing. One mechanism for managing law enforcement intelligence is intelligence fusion centers, which help partners share threat information between the federal, state, tribal, and local levels. The House Committee on Homeland Security, for example, has called for greater use of fusion centers, arguing that “these State and locally owned hubs for information sharing and analysis serve as the connection point between front-line law enforcement and first responders, and the Intelligence Community.”¹ Today, there are seventy-nine fusion centers throughout the country, located within several states and major urban cities.

Although fusion centers were created after 9/11 to combat terrorism, many have broadened their focus to address all crimes or all hazards. The “all-hazards approach refers to preparedness for terrorist attacks, major disasters and other emergencies within the United States.”² This approach allows fusion centers to broaden their areas of responsibility beyond terrorism and related crime, to include major disasters and emergencies. Statistically, after all, citizens of free countries are more likely to be victims of violent crimes than of a terrorist attack.³

Unlike other state fusion centers, the New Mexico All Source Intelligence Center (NMASIC)—which is embedded within the New Mexico Department of Homeland Security and Emergency Management (DHSEM)—has not expanded its mission statement to include public safety and major criminal threats. The NMASIC’s mission is to serve as a “cross-jurisdictional partnership between local, state, and federal agencies—including

¹ House Committee on Homeland Security, “Advancing The Homeland Security Information Sharing Environment: A Review of the National Network of Fusion Centers” (majority staff report, House Committee on Homeland Security, November 2017).

² Department of Homeland Security and Department of Justice, “Considerations for Fusion Center and Emergency Operations Center Coordination: Comprehensive Preparedness Guide (CPG) 502,” FEMA, May 2010, https://www.fema.gov/media-library-data/20130726-1828-25045-3917/cpg_502_comprehensive_preparedness_guide_considerations_for_fusion_center_eoc_coordination_2010.pdf.

³ Mike German, *Thinking Like a Terrorist: Insights of a Former FBI Undercover Agent*, 1st ed. (Washington, DC: Potomac Books, 2007).

private sectors—for the collection, analysis, and timely dissemination of terrorism information.”⁴ While cases of potential terrorism have remained consistently low, between 2012 and 2013 New Mexico’s violent crime rate rose 6.6 percent, which was the most significant increase in the country.⁵ This spike in violence shows that the NMASIC may benefit from an all-hazards approach that provides analytical and intelligence support for criminal investigations through intelligence-led policing.

The NMASIC serves a population of over two million, including 102 municipalities and 117 rural communities, which include 25 tribal communities on 122,000 square miles.⁶ According to the University of New Mexico’s Bureau of Business and Economic Research, the state has followed the national trend of losing rural populations to urban areas but has kept a higher percentage of rural areas compared to the rest of the country.⁷ This statistical data indicates that, compared to other state fusion centers, the NMASIC’s area of responsibility is unique; therefore, its mission statement may need to reflect the jurisdictional diversity of rural and tribal communities in the information-sharing process. The NMASIC’s area of responsibility differs from most other fusion centers in another way: it covers a largely rural and tribal population.

Research and practice show that intelligence fusion centers should transform to law enforcement needs and, more specifically, to intelligence-led policing. Furthermore, intelligence-led policing is no longer a concept confined to urban policing; rural and tribal communities could benefit from the practice. This research identifies key lessons learned and provides recommendations and suggestions for future research.

⁴ “Fusion Center,” New Mexico Department of Homeland Security & Emergency Management, accessed January 13, 2018, http://www.nmdhsem.org/Fusion_Center.aspx.

⁵ Alexander Kent and Thomas C. Frohlich, “The Most Dangerous States in America,” *USA Today*, January 3, 2015, <https://www.usatoday.com/story/money/business/2015/01/03/24-7-wall-st-most-dangerous-states/21214169/>.

⁶ Suzan Reagan, “Census Population Estimate Release March 2017,” Bureau of Business & Economic Research, April 6, 2017, <http://bber.unm.edu/blog/?p=376>.

⁷ Suzan Reagan, “How Rural Is New Mexico?,” Bureau of Business & Economic Research, December 9, 2016, <http://bber.unm.edu/blog/?p=364>.

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I. INTRODUCTION

Collecting and sharing information is the heart of effective intelligence-led policing. As David L. Carter explains, “It is logical that each law enforcement agency must develop an effective mechanism to record and manage this array of information that is distinct from or segregated from other records in the agency’s records management system.”¹ One such mechanism for managing law enforcement intelligence is intelligence fusion centers, which help partners share threat information between the federal, state, tribal, and local levels. The House Committee on Homeland Security, for example, has called for greater use of fusion centers, arguing that “these State and locally owned hubs for information sharing and analysis serve as the connection point between front-line law enforcement and first responders, and the Intelligence Community.”² Today, there are seventy-nine fusion centers throughout the country, located within several states and major urban cities.

Originally, fusion centers were designed after 9/11 to identify and disrupt potential terrorist events. However, as Mike German explains, “Citizens of free countries are victims of terrorism.... But they are also victims of murder, robbery, rape, and other violent crimes and at a much higher statistical rate.”³ In essence, citizens of free countries are statistically more likely to be victims of violent crimes than of a terrorist attack. Today, many fusion centers have broadened their focus to address all crimes or all hazards. The “all-hazards approach refers to preparedness for terrorist attacks, major disasters and other emergencies within the United States.”⁴ This approach allows fusion centers to broaden their areas of

¹ David L. Carter, *Law Enforcement Intelligence Operations: A Guide for State, Local, and Tribal Law Enforcement Agencies*, second ed. (Washington, DC: U.S. Department of Justice, 2009), 117.

² House Committee on Homeland Security, “Advancing the Homeland Security Information Sharing Environment: A Review of the National Network of Fusion Centers” (majority staff report, House Committee on Homeland Security, November 2017).

³ Mike German, *Thinking Like a Terrorist: Insights of a Former FBI Undercover Agent*, 1st ed. (Washington, DC: Potomac Books, 2007).

⁴ Department of Homeland Security and Department of Justice, “Considerations for Fusion Center and Emergency Operations Center Coordination: Comprehensive Preparedness Guide (CPG) 502,” FEMA, May 2010, https://www.fema.gov/media-library-data/20130726-1828-25045-3917/cpg_502_comprehensive_preparedness_guide_considerations_for_fusion_center___eoc_coordination_2010.pdf.

responsibility beyond terrorism and related crime, to include major disasters and emergencies.

Unlike other state fusion centers, however, the New Mexico All Source Intelligence Center (NMASIC) has not expanded its mission statement to include public safety and major criminal threats. Embedded within the New Mexico Department of Homeland Security and Emergency Management (DHSEM), the NMASIC's mission is to serve as a "cross-jurisdictional partnership between local, state, and federal agencies-including private sectors for the collection, analysis, and timely dissemination of terrorism information."⁵ Yet the NMASIC's mission is centered primarily on terrorism and lacks an all-hazards approach, which includes criminal acts. While cases of potential terrorism have remained consistently low, between 2012 and 2013 New Mexico's violent crime rate rose 6.6 percent, which was the most significant increase in the country.⁶ This spike in violence shows that the NMASIC may benefit from an all-hazards approach that provides analytical and intelligence support for criminal investigations through intelligence-led policing.

The NMASIC serves a population of over two million, including 102 municipalities and 117 rural communities, which include 25 tribal communities on 122,000 square miles.⁷ According to the University of New Mexico's Bureau of Business and Economic Research, the state has followed the national trend of losing rural populations to urban areas but has kept a higher percentage of rural areas compared to the rest of the country.⁸ This statistical data indicates that, compared to other state fusion centers, the NMASIC's area of responsibility is unique; therefore, its mission statement may need to reflect the jurisdictional diversity of rural and tribal communities in the information-sharing process.

⁵ "Fusion Center," New Mexico Department of Homeland Security & Emergency Management (DHSSEM), accessed January 13, 2018, http://www.nmdhsem.org/Fusion_Center.aspx.

⁶ Alexander Kent and Thomas C. Frohlich, "The Most Dangerous States in America," *USA Today*, January 3, 2015, <https://www.usatoday.com/story/money/business/2015/01/03/24-7-wall-st-most-dangerous-states/21214169/>.

⁷ Suzan Reagan, "Census Population Estimate Release March 2017," Bureau of Business & Economic Research, April 6, 2017, <http://bber.unm.edu/blog/?p=376>.

⁸ Suzan Reagan, "How Rural Is New Mexico?," Bureau of Business & Economic Research, December 9, 2016, <http://bber.unm.edu/blog/?p=364>.

The NMASIC's area of responsibility differs from most other fusion centers in another way: it covers a largely rural and tribal population.

A. RESEARCH QUESTION

How can New Mexico implement an all-hazards, intelligence-led policing model for rural and tribal policing to benefit all government stakeholders? In particular, how can that model be applied at the NMASIC?

B. LITERATURE REVIEW

This literature review evaluates the most relevant academic literature available to provide a universally accepted definition of intelligence-led policing for New Mexico's rural and tribal law enforcement. The material is from a variety of sources such as academic literature, reports from subject matter experts, professional journals, census data, the Department of Justice/Bureau of Justice Assistance program, and the Bureau of Justice Statistics.

1. What Is Intelligence?

Law enforcement's use of criminal intelligence in the United States developed in the early 1900s. For example, criminal intelligence successfully disrupted the Black Hand Society, a criminal organization involved in extorting money from Italian immigrants in New York City during the early 1900s. As a result, fewer Italian immigrants were victimized and crimes involving Italian immigrants significantly decreased.⁹ By the end of the twentieth century, law enforcement accepted criminal intelligence as an effective tool to address organized crime.¹⁰ In 1973, the National Advisory Commission on Criminal Justice Standards and Goals encouraged "every law enforcement agency and every state to immediately establish and maintain the capability to gather and evaluate information, and to disseminate intelligence in a manner that protects every individual's right to privacy

⁹ Marilyn Peterson, *Intelligence-Led Policing: The New Intelligence Architecture*, NCJ 210681 (Washington, DC: U.S. Department of Justice, September 2005).

¹⁰ Richard Wright et al. (eds.), *Criminal Intelligence for the 21st Century: A Guide for Intelligence Professionals* (Sacramento, CA; Richmond, VA: Law Enforcement Intelligence Units; International Association of Law Enforcement Intelligence Analysis, 2011).

while it curtails organized crime and public disorder.”¹¹ The use of criminal intelligence has resulted in hundreds of deportations and thousands of arrests.¹²

The definition of the word *intelligence* has changed over the years, and has often been conflated with the term *information*.¹³ According to Mark Lowenthal, although intelligence may seem no different than information to outsiders, understanding the difference between the two is crucial. He categorizes information as anything that is already known and intelligence as information that fulfills the needs of policymakers.¹⁴ “All intelligence is information,” he says, but “not all information is intelligence.”¹⁵ For information to become intelligence, it must be analyzed and vetted. Marilyn Peterson offers the same definition in a simple equation: “information plus analysis equals intelligence.”¹⁶ According to Carter, law enforcement intelligence is “the product of an analytic process that provides an integrated perspective to disparate information about crime, crime trends, crime and security threats, and conditions associated with criminality.”¹⁷ Figure 1 provides a comparative illustration of information and intelligence. Additionally, the term is interpreted differently by those with operations or analysis functions. For instance, patrol officers believe intelligence has minimal relevance to their daily function and is viewed as a tool “mainly used by specialized units employing wiretaps and surveillance.”¹⁸ For senior police officers, however, intelligence is a valuable mechanism that supports strategic decision-making and investigation. Nevertheless, to criminal intelligence analysts, intelligence “represents a rare objective voice that understands the criminal environment.”¹⁹

¹¹ Wright et al.

¹² Wright et al.

¹³ Peterson, *Intelligence-Led Policing*.

¹⁴ Mark M. Lowenthal, *Intelligence: From Secrets to Policy*, seventh ed. (Los Angeles: CQ Press, 2017).

¹⁵ Lowenthal.

¹⁶ Peterson, *Intelligence-Led Policing*.

¹⁷ Carter, *Law Enforcement Intelligence*, 12.

¹⁸ Jerry Ratcliffe, *Intelligence-Led Policing* (London: Willan, 2008).

¹⁹ Ratcliffe.

Information	Intelligence
<ul style="list-style-type: none"> • Criminal history and driving records • Offense reporting records • Statements by informants, witnesses, and suspects • Registration information for motor vehicles, watercraft, and aircraft • Licensing details about vehicle operators and professional licenses of all forms • Observations of behaviors and incidents by investigators, surveillance teams, or citizens • Details about banking, investments, credit reports, and other financial matters • Descriptions of travel including the traveler(s) names, itinerary, methods of travel, date, time, locations, etc. • Statements of ideologies, beliefs, and practices 	<ul style="list-style-type: none"> • A report by an analyst that draws conclusions about a person's criminal liability based on an integrated analysis of diverse information collected by investigators and/or researchers • An analysis of crime or terrorism trends with conclusions drawn about characteristics of offenders, probable future crime, and optional methods for preventing future crime/terrorism • A forecast drawn about potential victimization of crime or terrorism based on an assessment of limited information when an analysts uses past experience as context for the conclusion • An estimate of a person's income from a criminal enterprise based on a market and trafficking analysis of illegal commodities

Figure 1. Comparative Illustration of Information and Intelligence²⁰

Colonel Joseph R. Fuentes, Superintendent of the New Jersey State Police, provides a different perspective on intelligence. He identifies intelligence as “the synthesis of known data/information and analytical reasoning to create a determination about the overall operating environment.”²¹ Fuentes also finds that intelligence is often incorrectly used by law enforcement officers, who interchangeably use the terms *data* or *information* in the same context.²² Robert Smith supports Fuentes, recognizing intelligence as an acquired

²⁰ Source: Carter, *Law Enforcement Intelligence*, 12.

²¹ Joseph R. Fuentes, “New Jersey State Police Practical Guide to Intelligence-Led Policing” (report, New Jersey State Police, September 2016), 44.

²² Fuentes.

role for law enforcement agencies following 9/11.²³ Another pioneer in the literature of intelligence, Brian Jackson, defines criminal intelligence “as efforts by government organizations to gather, assess, and act on information about individuals or organizations in the United States or U.S. persons elsewhere that are not related to the investigation of a known past criminal act or specific planned criminal activity.”²⁴

Despite the various interpretations, the essential definition remains the same: intelligence pertains to the collection of information, analysis of the collected information, and finally its actionable dissemination. Using this basic, functional concept, all levels of law enforcement ought to have an understanding of intelligence. This thesis accepts the simplest understanding of intelligence as defined by Lowenthal: “All intelligence is information, not all information is intelligence.”²⁵ This basic understanding allows law enforcement personnel and leadership to collectively understand that intelligence is a product of evaluated, vetted, and synthesized information. Patrol officers, senior officers, and criminal intelligence analysts should have this same understanding, which provides the essential framework and applications for intelligence-led policing.

2. Intelligence-Led Policing

Intelligence-led policing is now broadly adopted by law enforcement agencies as a fundamental public safety function, but there remains ambiguity about its definition and essential concepts in the literature.²⁶ For example, Carter defines it as “the collection and analysis of information related to crime and conditions that contribute to crime, resulting in an actionable intelligence product designed to assist law enforcement in developing tactical responses to threats and strategic planning related to emerging or changing

²³ Robert A. Smith, “Law Enforcement Intelligence: Its Evolution and Scope Today,” *Journal of U.S. Intelligence Studies* 20, no. 3 (Spring/Summer 2014): 59–63, https://www.afio.com/publications/SMITH_Robert_Law_Enforcement_Intelligence_FINAL_2014July14.pdf.

²⁴ Brian A. Jackson and Agnes Gereben Schaefer (eds.), *The Challenge of Domestic Intelligence in a Free Society: A Multidisciplinary Look at the Creation of a U.S. Domestic Counterterrorism Intelligence Agency* (Santa Monica, CA: RAND, 2009).

²⁵ Lowenthal, *Intelligence*.

²⁶ Ratcliffe, *Intelligence-Led Policing*.

threats.”²⁷ Meanwhile, Jerry Ratcliff defines intelligence-led policing as “a business model and managerial philosophy where data analysis and crime intelligence are pivotal to an objective decision-making framework that facilitates crime and problem reduction, disruption, and prevention through both strategic management and effective enforcement strategies that target prolific and serious offenders.”²⁸ Although these definitions vary in perspective, they share the common elements of the collection, analysis, and the delivery of actionable intelligence.

Intelligence-led policing emerged in the United States because of the 9/11 terrorist events.²⁹ As a result, the national strategy for homeland security “required all levels of law enforcement to detect, deter, prevent, respond to and mitigate criminal and terrorist activities.”³⁰ Adopting the framework from the British National Intelligence Model, the U.S. Department of Justice provides the following intelligence-led-policing, or ILP, framework:

American ILP relies on analytically understanding multijurisdictional crime threats, developing a pathway toward solving the crime problems, and relying on proactive information sharing, both within the agency and externally with other law enforcement agencies, to maximize the number of law enforcement personnel who may identify indicators of threats and intervene.³¹

Following 9/11, organizations such as the International Association of Chiefs of Police recommended that local, state, and tribal law enforcement agencies adopt intelligence-led policing.³² At the time, “ILP was envisioned as a tool for sharing information that would aid law enforcement agencies in identifying threats and developing responses to prevent

²⁷ Carter, *Law Enforcement Intelligence*.

²⁸ Ratcliffe, *Intelligence-Led Policing*.

²⁹ Bureau of Justice Assistance, “Reducing Crime through Intelligence-Led Policing,” National Criminal Intelligence Resource Center, accessed November 16, 2018, https://www.ncirc.gov/documents/public/Reducing_Crime_Through_ILP.pdf.

³⁰ Smith, “Law Enforcement Intelligence.”

³¹ Bureau of Justice Assistance, “Reducing Crime.”

³² Carter, *Law Enforcement Intelligence*.

those threats from reaching fruition in America’s communities.”³³ However, intelligence-led policing is sometimes confused with other policing strategies, such as Compstat and problem-oriented policing.³⁴ And since the intelligence-led policing concept was adopted in American policing, the methodology has become a buzzword.³⁵

As further explained by Richard Wright, “the primary aim of intelligence-led policing is the prevention of crime and arrest of prolific offenders, and it seeks a more objective decision-making system based on data and intelligence analysis to determine priorities.”³⁶ The key component in American intelligence-led policing is information sharing. Sharing information within an agency and externally with law enforcement partners is essential for detection, prevention, and response to criminal and terrorist threats. Furthermore, intelligence-led policing has promoted innovation, allowing law enforcement leadership to supplement traditional community-policing services with innovative applications.³⁷ The use of technological solutions—such as cell phone analysis, social media covert operations, surveillance cameras, and global positioning devices—has allowed law enforcement to target individuals and organizations proactively. The mixture of innovative investigative strategies and information sharing allows police to adapt to modern threats.

3. Role of Intelligence Fusion Centers

The fusion center concept began in the major urban area jurisdictions of Arizona, Georgia, New York, and Los Angeles with efforts to “fill the void of combining information and intelligence sources at the local level to ferret out terrorist activity, thereby underpinning a national effort to share information that could be used in overall

³³ Carter.

³⁴ Wright et al., *Criminal Intelligence for the 21st Century*.

³⁵ Jerry Ratcliffe, “Intelligence-Led Policing and the Problems of Turning Rhetoric into Practice,” *Policing and Society* 12, no. 1 (2002): 53–66.

³⁶ Wright et al., *Criminal Intelligence for the 21st Century*.

³⁷ Bureau of Justice Assistance, “Reducing Crime.”

preparedness efforts.”³⁸ Currently, there are several fusion centers serving the local, state, and regional “information sharing and analytic function” efforts.³⁹ As of January 2013, there were well over seventy fusion centers, which include twenty-six major urban area fusion centers and fifty-three state fusion centers.⁴⁰ On December 11, 2018, the Department of Homeland Security State, Local, and Regional Fusion Center Initiative reiterated the Presidential Guideline 2 Report about the common framework for fusion centers, stating that fusion centers take the following responsibilities:

1. Share information to address national security and criminal investigations in a manner that protects privacy, civil liberties, and other legal rights of individuals protected by United States law, while ensuring the security of the information shared.
2. Foster a culture of fusing “all crimes with national security implications” with “all hazards” information in order to capture criminal activity that may be a precursor to a terrorist plot.
3. Support efforts to detect and prevent terrorist attacks by maintaining situational awareness of threats, alerts, and warnings.
4. Develop critical infrastructure protection plans to ensure the security and resiliency of infrastructure operations.
5. Prioritize emergency management, response, and recovery planning activities based on likely threat scenarios and at-risk targets.
6. Determine the allocation of funding, capabilities, and other resources.
7. Develop training, awareness, and exercise programs.⁴¹

³⁸ Justin Lewis Abold, Ray Guidetti, and Douglas Keyer, “Strengthening the Value of the National Network of Fusion Centers by Leveraging Specialization: Defining ‘Centers of Analytical Excellence,’” *Homeland Security Affairs* 8, article 7 (June 2012), <https://www.hsaj.org/articles/223>.

³⁹ House Committee on Homeland Security, “National Network of Fusion Centers” (majority staff report, House Committee on Homeland Security, July 2013).

⁴⁰ House Committee on Homeland Security.

⁴¹ Department of Homeland Security, “Privacy Impact Assessment for the Department of Homeland Security State, Local, and Regional Fusion Center Initiative” (assessment, Department of Homeland Security, 2008).

It is commonly expressed by fusion center critics that all fusion centers are similar; if you have seen one, you have seen them all. However, as explained in the *Homeland Security Affairs Journal*, “While it remains important that fusion centers maintain uniform baseline capabilities, today there is a renewed interest in acknowledging the value individual fusion centers can provide with unique expertise and specializations.”⁴² The American Civil Liberties Union also acknowledges that it is difficult to generalize fusion centers because “no two fusion centers are alike.”⁴³ However, “Each fusion center is responsible for determining who within their area of responsibility (AOR) requires information and intelligence products that address threat and risk related to crime, counter-terrorism, and homeland security.”⁴⁴ Also, as depicted in Figure 2, the fusion center baseline capabilities are defined by two sections: fusion process capabilities and management, and administrative capabilities. The former outlines the standards for the fusion center’s intelligence process and the latter enables its functional concept.⁴⁵ Chapter III of this thesis will highlight the importance of the intelligence cycle process for local, state, tribal, and federal partners.

⁴² Abold, Guidetti, and Keyer, “Strengthening the Value of the National Network of Fusion Centers.”

⁴³ Michael German and Jay Stanley, *What’s Wrong with Fusion Centers?* (New York: American Civil Liberties Union, 2007), https://www.aclu.org/files/pdfs/privacy/fusioncenter_20071212.pdf.

⁴⁴ Abold, Guidetti, and Keyer, “Strengthening the Value of the National Network of Fusion Centers.”

⁴⁵ Department of Homeland Security and Department of Justice, “Baseline Capabilities for State and Major Urban Area Fusion Centers” (supplement, Department of Homeland Security, September 2008).

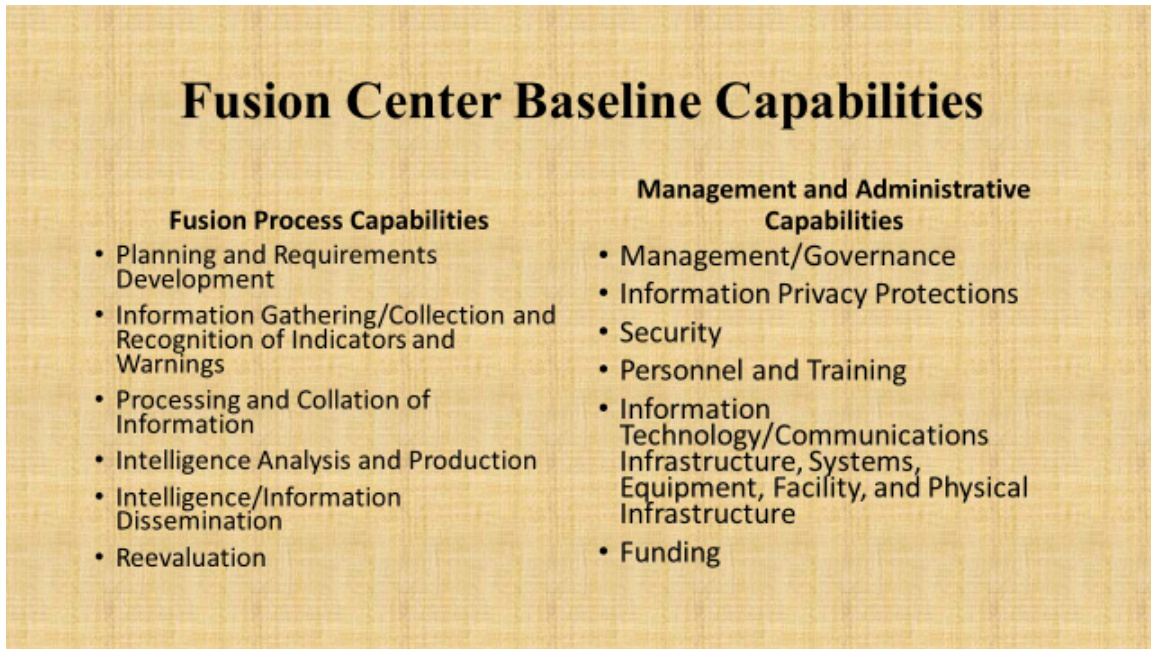


Figure 2. Fusion Center Baseline Capabilities⁴⁶

There remain questions about the role and integrity of fusion centers. A report from the House Committee on Homeland Security in 2017 stresses new challenges that could affect the fusion center’s ability to assess and share threat information.⁴⁷ Some of those challenges include the social media policies restricting fusion centers from valuable data, and the restriction of some local and state law enforcement agencies from collaborating with federal partners.⁴⁸ Furthermore, the report also recommends that the Department of Homeland Security and Department of Justice collaborate with the national network to review and update fusion center guidelines and capabilities to “accurately reflect the threat environment and promote ... continued growth.”⁴⁹

Lastly, the fusion center’s core function involves outreach and information sharing with local, state, and tribal stakeholders within the center’s area of responsibility.

⁴⁶ Adapted from Department of Homeland Security and Department of Justice.

⁴⁷ House Homeland Security Committee, “Advancing the Information Sharing Environment.”

⁴⁸ House Homeland Security Committee.

⁴⁹ House Homeland Security Committee.

Nevertheless, it is difficult for fusion centers to establish and maintain direct contact with individuals from many jurisdictions.⁵⁰ Therefore, state fusion centers have developed a liaison officer program to facilitate the information-sharing process.⁵¹ This program is explored in Chapter IV, which outlines the function and benefits of a liaison officer program as seen in the NMASIC.

C. RESEARCH DESIGN

This thesis examines the principles of intelligence-led policing and determines best practices as they have been established by other local and state law enforcement organizations, focusing on how these practices are followed by fusion centers. Then, it conducts a close analysis of the New Mexico fusion center to determine, in light of best practices, how policies and procedures might be changed to better address rural and tribal concerns.

D. ARGUMENT

To develop a robust intelligence-led policing model, this thesis argues that New Mexico must adopt all-hazards and intelligence-led policing strategies to incorporate rural and tribal communities into the information-sharing process. The reorganization of the NMASIC will enhance the New Mexico network, which is essential for leveraging resources to detect and disrupt organized criminal organizations and terrorism. With a redefined NMASIC mission, all participating agencies will have a universal intelligence-led policing definition, maintain and enhance community-policing efforts, and establish a platform for contribution to the domestic intelligence cycle, essentially fusing New Mexico's four-corner region.

⁵⁰ Department of Homeland Security and Department of Justice, *Establishing a Fusion Center Liaison Officer Program: A Guide and Workbook of Planning and Development Considerations* (Vienna, VA: Lafayette Group, October 2009).

⁵¹ Department of Homeland Security and Department of Justice.

E. CHAPTER OUTLINE

Following this introduction, Chapter II examines the New Mexico intelligence system and its challenges. Chapter III highlights the key intelligence functions with a review of the intelligence recommendations provided by the Department of Justice and experts cited in the literature review, a review of the liaison officer programs, and a look at the United Kingdom's MI5 intelligence model. Chapter IV is an analysis of U.S. local intelligence best practices, specifically the El Paso, Texas, Multi-Agency Tactical Response Information Exchange (MATRIX), the New Jersey Regional Operations and Intelligence Center Task Force, and the Santa Fe Police Department's Criminal Intelligence and Analysis Center. Finally, Chapter V identifies key lessons learned and provides recommendations and suggestions for future research.

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II. THE NEW MEXICO INTELLIGENCE SYSTEM AND ITS CHALLENGES

In 2003, in the aftermath of 9/11, the New Mexico Office of Homeland Security was created and began working with the Office of Emergency Management. In 2007, the New Mexico legislature joined the two offices, essentially creating the Department of Homeland Security and Emergency Management (DHSEM). Today, the DHSEM is the state's primary organization for responding to emergencies and disasters.⁵² The New Mexico All Source Intelligence Center (NMASIC), the state fusion center, falls under DHSEM and incorporates an all-hazards approach. However, unlike other fusion intelligence centers, the NMASIC lacks an effective and efficient law enforcement authority to fulfill an all-hazards model. This chapter first provides an in-depth review of the NMASIC's operational policies and procedures from the author's professional observations as the NMASIC intelligence liaison officer coordinator. Then, it reviews the intelligence system within the NMASIC and the New Mexico State Police (NMSP), particularly the problems.

A. THE NEW MEXICO ALL SOURCE INTELLIGENCE CENTER

The intelligence cycle is the core of the NMASIC's function and it has five essential components: collecting, analyzing, collating, disseminating, and reevaluating information. Of the five intelligence-cycle components, collection has been the most difficult. The NMASIC uses a variety of data sources; it does not rely on a single source for information collection. Similar to other state and major fusion centers, the NMASIC gathers tips and leads from the Nationwide Suspicious Activity Reporting Initiative, as well as from local, state, and federal entities, the private sector, and the public safety and public health sectors. For standard information collection, the NMASIC uses two forms: requests for information (RFIs) and requests for product (RFPs). An RFI is a specific source to help "narrow the intelligence gaps for threat assessments, criminal investigations and other tactical and

⁵² "New Mexico Department of Homeland Security & Emergency Management, accessed July 12, 2018, <http://www.nmdhsem.org/>.

strategic intelligence products,” and RFPs are intelligence product requests from other organizations.⁵³

At the time of its implementation in 2017, New Mexico Statute Chapter 9, Article 28, classified DHSEM as a criminal justice–law enforcement agency with the objectives to:

- (1) consolidate and coordinate homeland security and emergency management functions to provide comprehensive and coordinated preparedness, mitigation, prevention, protection, response and recovery for emergencies and disasters, regardless of cause, and acts or threats of terrorism;
- (2) act as the central primary coordinating agency for the state and its political subdivisions in response to emergencies, disasters and acts or threats of terrorism; and
- (3) act as the conduit for federal assistance and cooperation in response to emergencies, disasters and acts or threats of terrorism.⁵⁴

The statute continues:

B. The department shall be considered a criminal justice law enforcement agency in order to accomplish the purposes provided in Subsection A of this section.⁵⁵

Although DHSEM is classified as a law enforcement agency and given statutory authority, the personnel assigned to the DHSEM do not have authority to act as law enforcement officers; for instance, they cannot obtain court-ordered arrest and search warrants. Additionally, this statutory authority is specific to disasters and threats of terrorism only; it does not give DHSEM—or therefore the NMASIC—authority in the criminal realm.

This statutory clause has been at the center of debate between the law enforcement community and DHSEM personnel. Despite the DHSEM’s statutory authority, New

⁵³ New Mexico All Source Intelligence Center (NMASIC), “New Mexico All Source Intelligence Center Operations Manual” (manual, New Mexico All Source Intelligence Center, July 2014).

⁵⁴ NM Stat § 9–28-2 (2017), <https://law.justia.com/codes/new-mexico/2017/chapter-9/article-28/section-9-28-2/>.

⁵⁵ NM Stat § 9–28-2.

Mexico's local, state, and tribal law enforcement organizations have been hesitant to share law enforcement-sensitive information or information about ongoing criminal investigations with the DHSEM. Most agency partners do not recognize the DHSEM as an equivalent law enforcement agency. As such, DHSEM personnel have repeatedly been refused assistance with RFIs—including simple requests such as a driver's license check. Therefore, DHSEM personnel rely on the assistance of the few law enforcement personnel who are willing to share information or contribute to the fusion center's mission.

Compounding the problem is a contradicting section within the NMASIC's operational manual that lists informants and citizen sources as a form of information collection: unlike its local law enforcement partners, the NMASIC does not have the law enforcement authority to manage informants or citizen sources. Without this human intelligence component, the NMASIC has limited ability to collect valuable information, which increases its dependence on law enforcement organizations that do have this capability.

Like most intelligence centers, the NMASIC uses the intelligence cycle “to extract structured and unstructured data from multiple sources, perform synthesis, fusion, and analysis on this data, and disseminate the processed critical information (or intelligence) to decision-makers in support of their tactical, operational and strategic planning.”⁵⁶ The NMASIC's intelligence network structure incorporates two vital components in support of its intelligence liaison officer (ILO) program: the executive advisory board—made up of local, state, and tribal leaders—and the intelligence-working group—which consists of mid-level management and first-line supervisors from the ILO agency.⁵⁷ The NMASIC's ILO framework is an effort to fulfill the House Committee on Homeland Security Committee's recommendation, which states that the National Fusion Center Association “should work with fusion centers to continue to expand their outreach efforts to stakeholders outside of law enforcement, tailor their trainings and outreach to specific sectors targeted, and proactively find ways to continue engagement with TLOs, and similar

⁵⁶ NMASIC, “Operations Manual.”

⁵⁷ NMASIC.

partners, after initial training.”⁵⁸ However, a majority of the NMASIC’s ILOs represent federal partners as well as medium-sized law enforcement agencies located in New Mexico’s urban centers. Law enforcement agencies within rural and tribal communities do not fully engage in the ILO program. While the NMASIC successfully incorporated eighty ILOs in 2015, only one of approximately twenty-three tribal law enforcement agencies contributes to the program.

For the NMASIC, email and the Homeland Security Information Network (HSIN) both serve as portals of communication with New Mexico ILOs. In December 2002, a collaborative law enforcement group instituted a database called the Joint Regional Information Exchange System; in 2004 it was transferred to the Department of Homeland Security and renamed HSIN. HSIN is designed to share sensitive but unclassified information with agencies across the local, state, tribal, and private-sector levels.⁵⁹ In addition, HSIN unites people, processes, and technologies needed for mission success; many communities rely on its information for day-to-day operations, domestic and international events, critical incident management, disaster planning and response, and public safety.⁶⁰ By allowing all participating organizations to collaborate and share information, the HSIN database has been useful for catastrophic events, such as the Deepwater Horizon oil spill in May 2010, and major public events, such as presidential inaugurations and the Super Bowl.⁶¹ Although HSIN is designed to unite people from various law enforcement agencies and private-sector partners, not all law enforcement agencies access or contribute to HSIN as designed.

As the Department of Homeland Security noted in 2016, local law enforcement account for 34 percent of HSIN users; federal organizations account for 29 percent, state

⁵⁸ House Committee on Homeland Security, “Advancing Information Sharing.”

⁵⁹ “What Is HSIN?,” Department of Homeland Security, July 6, 2009, <https://www.dhs.gov/what-hsin>.

⁶⁰ “HSIN Basics,” Department of Homeland Security, accessed December 13, 2017, <https://www.dhs.gov/sites/default/files/publications/HSIN-Fact-Sheet-HSIN-Basics.pdf>.

⁶¹ “2016 Annual Report: Delivering Mission Success,” Homeland Security Information Network, accessed November 21, 2018, <https://www.dhs.gov/sites/default/files/publications/HSIN-2016%20Annual%20Report-FINAL-electronic.pdf>.

organizations for 18 percent, and the private sector for 15 percent.⁶² HSIN claims to provide tribal communities an opportunity to overcome geographic and communication challenges, but tribal partners make up only 0.5 percent of users, as shown in Figure 3.⁶³

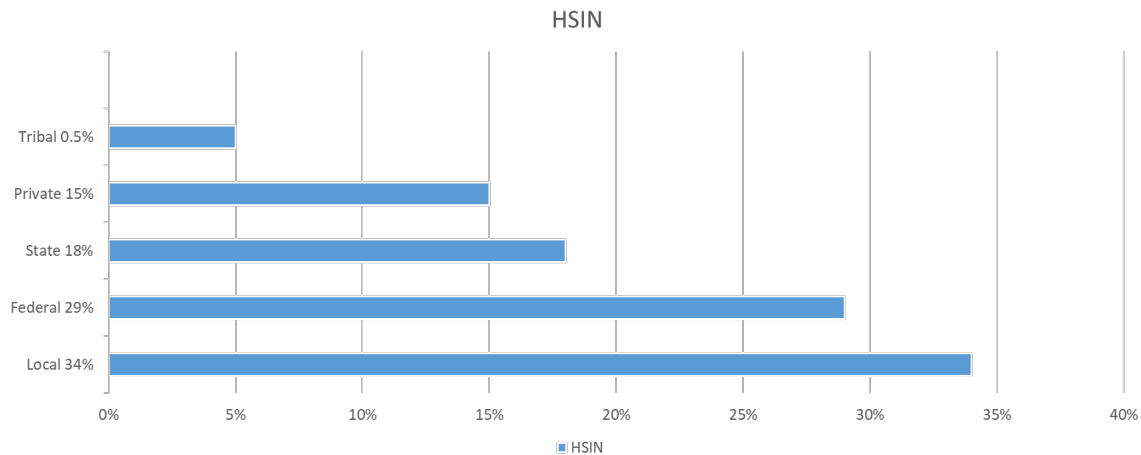


Figure 3. HSIN 2016 Annual Report Organization Activity⁶⁴

New Mexico's HSIN membership allows users to access the state's ILO program and law enforcement portals, which provide information on border security, cyber threats, domestic terrorism/extremism, international terrorism/extremism, gangs, general crime, and organized/transnational crime.⁶⁵ The NMASIC routinely updates the HSIN law enforcement portal, but the ILO portal is underutilized; its information was not updated between July 2015 and June 2017.⁶⁶ HSIN was designed for information sharing, but the NMASIC HSIN portal lacks a state information-sharing database equivalent to the state police's Criminal Justice Information System, which is a robust information collection and sharing database. DHSEM does not have access to this state database, however, because

⁶² Homeland Security Information Network.

⁶³ Homeland Security Information Network.

⁶⁴ Adapted from Homeland Security Information Network.

⁶⁵ Homeland Security Information Network, accessed March 28, 2018, <https://auth.dhs.gov>.

⁶⁶ Homeland Security Information Network.

the state police department does not recognize DHSEM as a law enforcement agency; without such a recognition, DHSEM is not authorized to obtain the law enforcement–sensitive information contained within this database.

The ILO program does effectively collect information from multiple jurisdictions, such as rural and tribal communities, but only when the law enforcement agencies from those communities choose to participate in the process. New Mexico is plagued with various forms of crime that affect all communities and, as General Stanley McChrystal says, “it takes a network to defeat a network.”⁶⁷ Although an effective ILO program may help target criminal networks, the NMASIC has failed to fulfill this vital fusion center concept due to poor cooperation and acceptance from the wider law enforcement community.

To engage with its law enforcement partners, NMASIC created a “core product line” to enhance situational awareness across agencies.⁶⁸ The product line includes risk assessments, special event/threat assessments, intelligence bulletins, priority bulletins, weekly executive summaries, joint products, reference aids, and suspicious activity reporting analysis. Unfortunately, the NMASIC lacks the capability to provide actionable intelligence products to local, state, and tribal law enforcement. Also, the NMASIC employs a twenty-four-hour emergency schedule to support national, state, or regional emergencies, should they occur; however, this schedule lacks the functional capability of a watch center, as explored in Chapter IV.⁶⁹

B. NEW MEXICO STATE POLICE

The New Mexico State Police (NMSP) has changed its mission and law enforcement services since its incorporation. In 1935, the New Mexico Motor Patrol was rebranded as the New Mexico State Police and given peace officer authority to enforce all state laws. To the state, NMSP created twelve districts and assigned one commanding

⁶⁷ Stanley McChrystal, *Team of Teams* (London: Penguin, 2015), 84.

⁶⁸ NMASIC, “Operations Manual.”

⁶⁹ NMASIC.

officer to each district to manage day-to-day operations. Moreover, the NMSP may cross jurisdictions with tribal territory in criminal cases because of recognized “cross deputization agreements.”⁷⁰ NMSP shares this understanding with the Navajo Region, which is policed by the Bureau of Indian Affairs (BIA), which covers Utah, Colorado, a majority of Arizona, and New Mexico. However, no intelligence component supports the Navajo Region or connects any of the twelve tribal regions.

NMSP’s jurisdiction expands beyond the state and tribal territories as well; an NMSP representative serves as a coordinator for the FBI’s Joint Terrorism Task Force. In comparison to other New Mexico law enforcement agencies, the NMSP is thus positioned to collaborate with all levels of government.

Within NMSP, intelligence and analysis is the responsibility of the Criminal Investigations Bureau. The following is a breakdown of the NMSP analysis and intelligence collection function:

ANALYSIS

Crime Analysis Unit (CAU)—Conducts detailed research to identify crime trends activity distribution, effectiveness of in-progress or proposed enforcement strategies, legislative impact studies, and special projects as required.

Strategic Analysis—Analysis involving in-depth research of long-term crime trends, which assist in generating projections of increases or decreases in crime. Examples include proactive criminal threat assessments and predicting trends and patterns of current and future criminal activity.

Tactical Analysis—Analysis that assists immediate law enforcement needs and supports short-range purposes, usually conducted in support of a specific criminal investigation, i.e., link analysis, financial analysis, telephone toll analysis, etc.⁷¹

⁷⁰ “Tribal Law Enforcement,” Bureau of Justice Statistics, accessed September 27, 2017, <https://www.bjs.gov/index.cfm?ty=tp&tid=75>.

⁷¹ New Mexico Department of Public Safety, “Analytical Services,” Policy Number OPR:11 (internal document, New Mexico Department of Public Safety, January 4, 2010).

INTELLIGENCE COLLECTION

Criminal Intelligence—Information compiled, analyzed and/or disseminated in an effort to anticipate, prevent, or monitor criminal activity.

Strategic Intelligence—Information concerning existing patterns or emerging trends of criminal activity designed to assist in criminal apprehension and crime control strategies, for both short- and long-term investigative goals.

Tactical Intelligence—Information regarding a specific criminal event that can be used immediately by operational units to further a criminal investigation, plan tactical operations and provide for officer/public safety.⁷²

These processes are designed to effectively and efficiently address criminal trends and criminal activity within the state, but NMSP lacks a critical infrastructure component like DHSEM's. Also, NMSP does not operate a state fusion center; instead, the operational units submit their intelligence reports to the Criminal Justice Information System database and, if necessary, to the NMASIC.⁷³

Herein lies the problem with the New Mexico intelligence function. DHSEM, which facilitates the NMASIC, is exceptionally capable in responding to potential threats to the state's critical infrastructure but lacks the ability to address organized crime and threats of terrorism. Law enforcement agencies who choose to share information with the NMASIC only when necessary are steering the state blindly in addressing the crimes and threats affecting local, state, and tribal communities.

The NMSP has three regional communication centers throughout the state, in Las Vegas, Las Cruces, and Albuquerque, and more than 100 staff members. Each of the centers has the ability to provide communication channels for local, state, and federal entities with public safety services, which include law enforcement, emergency

⁷² New Mexico Department of Public Safety, "Intelligence Collection," Policy Number OPR:02 (internal document, New Mexico Department of Public Safety, February 24, 2011).

⁷³ New Mexico Department of Public Safety.

management, and fire services.⁷⁴ However, NMSP regional communication centers lack abilities seen in the other intelligence centers, such as “maintaining situation awareness of events locally and throughout the world; completing time-sensitive requests from vetted partners; and, coordinating the dissemination of information.”⁷⁵ Realigning NMSP regional communication centers may enhance current analysis abilities and, most advantageously, enhance asset management around the state to address all hazards and all threats. Furthermore, realignment would effectively allocate NMSP assets and resources, allowing leadership to deploy readily available resources in the event of an emergency or to address criminal activity.

C. CONCLUSION

Since 2003, New Mexico has attempted to incorporate an intelligence component for local, state, and tribal law enforcement by creating the NMASIC. The NMASIC has initiated an ILO program as a tool for outreach to law enforcement agencies and has utilized the HSIN database as a platform for information sharing. However, these two approaches have been unsuccessful and the fusion center’s core mission remains unfulfilled. The highlight of this chapter is the importance of information sharing. Like several New Mexico law enforcement agencies, the NMSP submits its intelligence reports to the NMASIC “if necessary.”⁷⁶ Carter et al. argue, however, that “state, local, and tribal law enforcement agencies play a critical role in securing the homeland, and understanding and improving the intelligence practices of these agencies will enhance public safety.”⁷⁷ Analysis and intelligence collection are an unrealized gold mine for NMSP. With access to tribal communities through tribal jurisdiction agreements and a critical role in the FBI Joint Terrorism Task Force, NMSP is in a position to receive and disseminate information

⁷⁴ “Communications Bureau,” New Mexico State Police, accessed July 13, 2018, <https://www.sp.nm.gov/index.php/dispatch-centers>.

⁷⁵ El Paso Police Department, “MATRIX—El Paso Fusion Center Procedures and Protocols” (retrieved via personal communication, MATRIX Director, June 28, 2018).

⁷⁶ El Paso Police Department.

⁷⁷ David Carter et al., “Understanding the Intelligence Practices of State, Local, and Tribal Law Enforcement Agencies” (report, U.S. Department of Justice, May 2012), 2.

across all levels of government and fulfill the critical role of a state intelligence center. The following chapter explores the key functions of an intelligence center, with an emphasis on the intelligence cycle components, the liaison officer program, and the United Kingdom's intelligence model.

III. KEY INTELLIGENCE FUNCTIONS

In 2003, the U.S. Department of Justice released the “National Criminal Intelligence Sharing Plan,” which encourages all law enforcement agencies to have an intelligence capability.⁷⁸ Although agencies would likely agree that working together is a force multiplier for detecting, disrupting, and dismantling criminal and terrorist organizations, not all agencies have the budgets or resources to create an intelligence function. Many law enforcement agencies that cannot implement such a component choose to participate in fusion center liaison officer programs, which allow participating agencies to contribute information from their local jurisdictions and, in return, receive information from the intelligence center that affects their areas of responsibility.

Although each intelligence center applies the intelligence cycle differently, the core of each model, as shown in Figure 4, consists of planning for, collecting, processing, analyzing, disseminating, and reevaluating actionable intelligence. Carter defines the intelligence cycle as “a systemic, scientific, and logical methodology to comprehensively process information to ensure that the most accurate, actionable intelligence is produced and disseminated to the people who provide an operational response to prevent a criminal threat from reaching fruition.”⁷⁹ This process allows decision makers and investigative staff to collaborate and address criminal threats. A local intelligence system must accomplish several key functions: apply the intelligence cycle, use liaison officers and other methods to reach out to constituents and stakeholders, use intelligence-led policing, and follow an all-hazards model. This chapter identifies the key functions of an intelligence center and examines the recommendations from the Department of Justice and intelligence experts cited in the literature review. The chapter also examines the United Kingdom’s MI5 intelligence model for useful concepts.

⁷⁸ Department of Justice, “The National Criminal Intelligence Sharing Plan: Solutions and Approaches for a Cohesive Plan to Improve Our Nation’s Ability to Develop and Share Criminal Intelligence” (report, Department of Justice, October 2003), https://it.ojp.gov/documents/National_Criminal_Intelligence_Sharing_Plan.pdf.

⁷⁹ Carter, *Law Enforcement Intelligence*, 57.

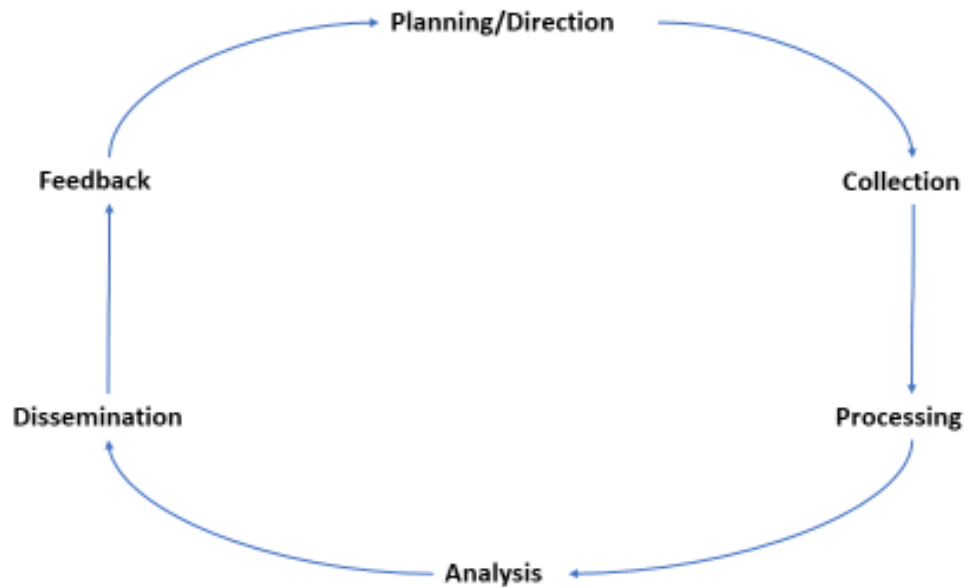


Figure 4. Intelligence Cycle⁸⁰

A. INTELLIGENCE CYCLE COMPONENTS

1. Planning and Direction/Requirements

Law enforcement agencies in the United States have varied missions and intelligence needs based on their jurisdictions. Local, state, and tribal police departments exercise traditional community-oriented policing services, conduct patrols, and carry out criminal investigations, while other law enforcement agencies, such as the NMSP, enforce traffic laws to promote vehicle and pedestrian safety. Federal law enforcement organizations such as the FBI primarily conduct criminal investigations. Intelligence centers use risk assessment to identify and prioritize threats, vulnerabilities, and consequences; law enforcement, however, typically uses a targeting intelligence approach to identify individuals and groups involved in criminal activity. The fusion center risk-assessment model is a functional concept for an all-hazards and all-crimes application, which means fusion centers incorporate all potential threats that may affect their areas of responsibility. Such a model is not effective for law enforcement organizations which need

⁸⁰ Adapted from: Department of Homeland Security and Department of Justice, “Baseline Capabilities.”

a more aggressive approach to deal with criminal organizations. The targeting intelligence methodology, shown in Figure 5, provides leadership with multiple options for addressing criminal activity. As Frank Root explains, the targeting method is “the process of developing and selecting criminal and criminally related targets in response to the mission manager’s guidance and the law enforcement mission objectives.”⁸¹ Targeting splits the criminals’ activities into manageable challenges for law enforcement.⁸² A blend of both models—risk assessment and targeting—benefits all levels of law enforcement and fulfills the fusion center’s functional concept.



Figure 5. Targeting Intelligence⁸³

⁸¹ Frank S. Root, *Law Enforcement Intelligence Critical Elements* (San Luis Obispo, CA: F.S. Root, 2006).

⁸² Root.

⁸³ Adapted from Root.

2. Collection

Law enforcement collects information from a variety of sources, which include, to name a few, daily observations, surveillance, victim/witness statements, electronic databases, cell phone analysis, confidential sources, and informants. Michael Bazzell explains that information may be obtained through a search warrant or through publicly available (open-source) options; the information is “collected, exploited and timelessly disseminated to an appropriate audience to address a specific intelligence requirement.”⁸⁴ During a narcotics investigation, for example, a detective may obtain a search warrant for a cell phone to collect information and develop leads, and then send the information to a criminal intelligence analyst, who examines the data and provides a social networking analysis. An example of open-source information—accessible to anyone—is postings on social media sites; accessing this information does not infringe on a U.S. citizen’s constitutional right to protection from unreasonable search and seizure under the Fourth Amendment.

Law enforcement is prohibited from collecting information from or on individuals unless probable cause has been established. Brian Jackson and Agnes Schaefer suggest that intelligence designs, policies, and capabilities require an understanding of the types of information that may be collected and how the information may be used.⁸⁵ For example, they explain that the role of personal information depends on the investigative method:

Specific: A person of interest is identified, and information is sought on that individual. The information may include personal information about other people—e.g., the people he or she knows....

Relational: A person of interest is identified. Information is then sought on those who may have a connection with that person....

⁸⁴ Michael Bazzell, *Open Source Intelligence Techniques: Resources for Searching and Analyzing Online Information* (Charleston, SC: CCI, 2014), 3.

⁸⁵ Jackson and Schaefer, *The Challenge of Domestic Intelligence in a Free Society*.

General: This methodology is based on the assumption that potential terrorism suspects can be identified by dint [the mark] of the unique pattern of transactions in which they engage.⁸⁶

Bound by the Constitution and challenged by technological advancements, law enforcement specifically identifies the targets and their networks to effectively apply investigative efforts with minimal resources. The connection of individuals and businesses allows personnel to explore all available investigative avenues.

3. Processing

Before information can be analyzed, it must go through a vetting process. Processing is the function of separating relevant from irrelevant data and then labeling relevant data within a usable system.⁸⁷ As explained by Carter, the intelligence process has four essential components: reliability, validity, method, and deconfliction. The reliability and validity of the source of information are essential for determining appropriate investigative and operational planning. For example, if a confidential informant provides information on an individual who is involved in drug trafficking, the investigating officer must determine the reliability and validity of the source's information, which requires corroborating information through other means, such as surveillance. If the source of information is unreliable, the information may be inadmissible in prosecutorial proceedings and jeopardize investigative efforts. The failure to deconflict information may jeopardize ongoing investigations for law enforcement organizations, may duplicate effort, and, most importantly, may lead to unattended consequences for officers.

4. Analysis

There is no question that adequate analysis is the key to effective intelligence. As previously defined, information must be analyzed to become intelligence.⁸⁸ Therefore,

⁸⁶ Jackson and Schaefer.

⁸⁷ Christopher Cleary, "Strategy for Local Law Enforcement Agencies to Improve Collection, Analysis, and Dissemination of Terrorist Information" (master's thesis, Naval Postgraduate School, 2006), <https://calhoun.nps.edu/handle/10945/2892>.

⁸⁸ Wright et al., *Criminal Intelligence for the 21st Century*.

practitioners must make every effort to confirm that unprocessed information meets quality standards. In other words, the reliability and validity of the collected information determine the quality of analysis.⁸⁹ Analyzing raw information is not an easy task; it requires the expertise of a qualified intelligence analyst. Intelligence analysts contribute to the unit by guiding investigators into untouched areas routinely unnoticed by traditional law enforcement efforts.⁹⁰

Intelligence officers also collect and analyze information. Most intelligence officers are sworn personnel who have already gained valuable experience in the traditional policing model.⁹¹ However, the way the U.S. Department of Homeland Security uses intelligence officers differs from their use in law enforcement. The Department of Homeland Security intelligence officers partner with state and major urban fusion centers for two essential purposes: to facilitate the “Baseline Capabilities for State and Major Urban Area Fusion Centers” and to manage the intelligence cycle within their area of responsibility by sharing information between local, state, tribal, and federal partners.⁹² Law enforcement intelligence officers also manage the intelligence cycle in their jurisdictions, but unlike Department of Homeland Security officers, they have the authority to petition the courts for search and arrest warrants to further their investigative objectives.

5. Dissemination/Action

The final stage of the intelligence cycle is providing actionable intelligence to those with a right and need to know. This process balances the sharing of information and the withholding of intelligence. If intelligence is inadvertently released, it could be detrimental to an investigation.⁹³ Actionable intelligence is based on two fundamental applications, tactical intelligence and strategic intelligence. Wright et al. describe tactical intelligence as

⁸⁹ Carter, *Law Enforcement Intelligence*.

⁹⁰ Wright et al., *Criminal Intelligence for the 21st Century*.

⁹¹ Wright et al.

⁹² “Deployed Intelligence Officers and Protective Security Advisors,” Department of Homeland Security, last modified March 2014, https://www.dhs.gov/sites/default/files/publications/Deployed%20Intelligence%20Officers%20and%20Protective%20Security%20Advisors_0_0.pdf.

⁹³ Cleary, “Strategy for Local Law Enforcement.”

collected and analyzed information, which includes an individual's name, address, affiliates, or any other personal information.⁹⁴ "This tactical intelligence is produced on an ongoing basis and should be readily available as an effective and valuable resource for investigators working on criminal investigations."⁹⁵ Vetted, analyzed information is valuable for active criminal investigations. For example, accurate information about a witness, a suspect, and the suspect's vehicle may help a homicide detective develop leads or corroborate evidence. Strategic intelligence, on the other hand, is designed to provide a bigger picture about current criminal activity/threats and long-term planning. Wright et al. explain, "Strategic intelligence provides a broader view of the abilities, strengths, weaknesses, and trends of criminal enterprises."⁹⁶ Strategic intelligence gives decision-makers options for addressing potential threats.

Information may be disseminated through rapid intelligence, a new concept within law enforcement. Rapid intelligence is the use of technological solutions and intelligence resources to support and parallel the criminal investigation. The Santa Fe Police Department's Criminal Investigations Division applies this methodology to high-profile investigations such as homicides and kidnappings. For example, in a homicide investigation, detectives arrive on the scene and conduct a traditional criminal investigation by completing a walkthrough, interviewing witnesses, and collecting evidence. Meanwhile, intelligence personnel perform cell tower dumps, cell phone analysis, computer analysis, social media searches, and other technological analysis.

6. Feedback/Reevaluation

Feedback and reevaluation comprise the final step in the intelligence cycle. This final process updates the threat, identifies vulnerabilities and consequences, and assesses

⁹⁴ Wright et al., *Criminal Intelligence for the 21st Century*.

⁹⁵ Wright et al.

⁹⁶ Wright et al.

the effectiveness of disseminated intelligence.⁹⁷ According to the Department of Justice’s “Fusion Center Guidelines,” the

reevaluation assesses current and new information, assists in developing an awareness of possible weak areas as well as potential threats, and strives to eliminate previously identified weaknesses that have been hardened as a result of the fusion center process. Overall, this step provides an opportunity to review the performance or effectiveness of the fusion center’s intelligence function.⁹⁸

Essentially, for intelligence analysts or law enforcement leadership to effectively target a criminal organization or disrupt criminal activity, the intelligence product and investigative results must be evaluated to measure the success of applied resources and investigative efforts.

B. U.S. LIAISON OFFICER PROGRAM

It is difficult for fusion centers to establish and maintain direct contact with individuals from multiple jurisdictions. Therefore, state fusion centers have developed a liaison officer program to facilitate the information-sharing process to connect with law enforcement agencies and other organizational partners.⁹⁹ In *Establishing a Fusion Center Liaison Officer Program*, the Department of Homeland Security and Department of Justice identify the following benefits:

- Improving the quality and efficiency of information exchange between the fusion center and outside agencies
- Increasing awareness of terrorism and criminal indicators, in accordance with applicable privacy and civil rights/civil liberties (CRCL) protections
- Expanding awareness of the intelligence cycle and its underpinnings

⁹⁷ Patrick Miller, “How Can We Improve Information Sharing among Local Law Enforcement Agencies?” (master’s thesis, Naval Postgraduate School, 2005), <https://calhoun.nps.edu/handle/10945/1961>.

⁹⁸ Department of Justice and Department of Homeland Security, “Fusion Center Guidelines: Developing and Sharing Information and Intelligence in a New World” (guidelines, Department of Justice, July 2005), 27, http://www.ialeia.org/docs/Fusion_Center_Guidelines_for_Law_Enforcement.pdf.

⁹⁹ Department of Homeland Security and Department of Justice, *Establishing a Fusion Center Liaison Officer Program*.

- Increasing opportunities to detect, deter, and prevent crime and terrorist threats
- Increasing participation in fusion center activities, specifically for non-law enforcement partners or smaller agencies
- Developing a cadre of subject-matter experts (SME)
- Augmenting the capabilities of the fusion center by providing the opportunity to allow real-time Intelligence and information exchange during incidents and on-scene response.
- Strengthen[ing] and enhanc[ing] community oriented policing efforts.¹⁰⁰

Although there are several benefits of a liaison officer program, the programs are not consistently implemented and receive minimal direction from national fusion center leadership; instead, individual fusion centers tend to select a model that fulfills their basic functions.¹⁰¹ Also, a 2017 study conducted by the House Committee on Homeland Security showed that the range of liaison officers varied from twenty active members in one fusion center to 11,000 liaison officers in another.¹⁰² The terminology used for liaison officer programs also differs among fusion centers; some personnel are referred to as fusion liaison officers, others terrorism liaison officers, intelligence liaison officers, field intelligence officers, and so on. As previously discussed, NMASIC has an intelligence liaison officer (ILO) program to establish and maintain communication with local, state, and tribal law enforcement.

C. THE UNITED KINGDOM’S MI5 MODEL

The United Kingdom’s MI5, formerly known as the Secret Service Bureau, was established in 1909. From its modest beginnings, it grew into an effective and professional intelligence agency. MI5 has played a vital role in the intelligence cycle during historical events such as World War II, the Cold War, and recent terrorist events.¹⁰³ MI5’s roles and

¹⁰⁰ Department of Homeland Security and Department of Justice.

¹⁰¹ William F. Wickers Jr., “A Comprehensive Fusion Liaison Officer Program: The Arizona Model” (master’s thesis, Naval Postgraduate School, 2015), <https://calhoun.nps.edu/handle/10945/45272>.

¹⁰² House Committee on Homeland Security, “Advancing Information Sharing.”

¹⁰³ “History,” MI5, accessed April 17, 2018, <https://www.mi5.gov.uk/history>.

responsibilities are outlined in the United Kingdom's Security Service Act of 1989, which identifies three essential functions:

1. To protect national security against threats from espionage, terrorism and sabotage, from the activities of agents of foreign powers, and from actions intended to overthrow or undermine parliamentary democracy by political, industrial or violent means;
2. To safeguard the economic well-being of the UK against threats posed by the actions or intentions of persons outside the British Isles; and
3. To act in support of the activities of the police forces and other law enforcement agencies in the prevention and detection of serious crime. However, since the establishment of the Serious Organised Crime Agency and subsequently the National Crime Agency, MI5 has suspended work on serious crime in order to concentrate more resources on counter terrorism.¹⁰⁴

The first two functions are similar to the FBI's mission to protect the country from terrorism and foreign powers. However, the third function is an example of how each U.S. intelligence center is responsible for providing intelligence products to address threats within their jurisdictions.

Unlike local, state, and tribal law enforcement, MI5 has no arrest powers; rather, it collects information, produces intelligence products, and provides those products to law enforcement agencies. In return, the law enforcement agencies use the information to initiate parallel investigations. MI5 officers are unarmed and rarely participate in any criminal proceedings, but they fulfill the essential role of collecting, analyzing, and disseminating actionable intelligence to law enforcement decision-makers. As explored in Chapter II, unlike the MI5 model, the NMAIC is not a recognized investigative component and is dependent on other agencies for the collection of information. This practice limits the NMAIC's capability as an intelligence center, requiring the center to rely on contributing agencies.

MI5's intelligence cycle has changed over the years and adapted to terrorist techniques, tactics, and procedures. This transformation became more relevant and

¹⁰⁴ "Security Service Act 1989," UK National Archives, accessed July 19, 2018, <http://www.legislation.gov.uk/ukpga/1989/5/contents>.

valuable following the London bombings of July 7, 2005, when the United Kingdom faced a new homegrown terrorist threat.¹⁰⁵ The United Kingdom's intelligence cycle is similar to the United States'; as explained by Paul Smith, however, the UK model consists of only four elements: requirements, collection, analysis, and action (see Figure 6).¹⁰⁶ The MI5's intelligence cycle appears to be more simplistic and efficient for applying tactical intelligence to crime and terrorism. MI5's intelligence cycle excludes the dissemination component as seen in the U.S. model. MI5 has determined that dissemination alone is not actionable; dissemination requires law enforcement personnel to use the produced intelligence through either covert or overt operations. A few examples of MI5's covert operations include the use of eavesdropping/technical coverage, surveillance, interceptions, and human intelligence.¹⁰⁷ Meanwhile, overt operations may consist of financial warnings, checkpoints, arrests, and the use of the public.¹⁰⁸ The application of overt and covert actions allows intelligence and investigative components to be aggressive and reassures that the produced intelligence is effectively used.

¹⁰⁵ Paul Smith, "MI-5 / Domestic Intelligence for the United States Discussion," (classroom discussion,

Naval Postgraduate School, April 11, 2018).

¹⁰⁶ Paul Smith, "The Real Intelligence Cycle" (class lecture, Comparative Government, Naval Postgraduate School, April 11, 2018).

¹⁰⁷ Smith.

¹⁰⁸ Smith.

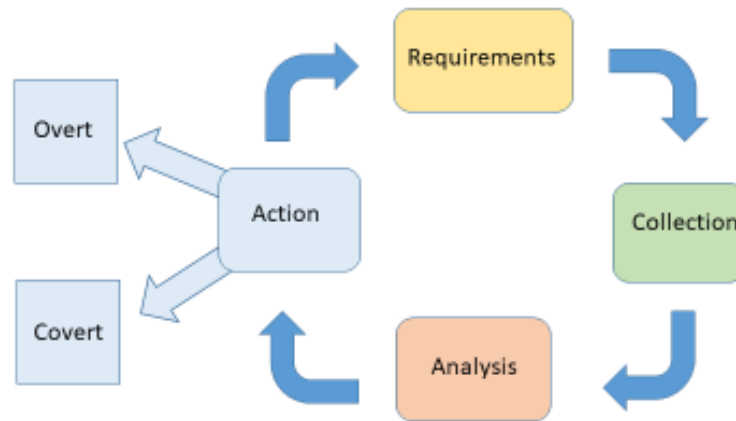


Figure 6. UK MI5 Intelligence Cycle¹⁰⁹

MI-5 uses a unique operational concept known as the desk officer system. The role of a desk officer is similar to that of the U.S. fusion center’s intelligence analyst, with an emphasis on collecting and disseminating intelligence, assessing threats, and collaborating with and advising other agencies to address threats.¹¹⁰ However, unlike U.S. intelligence analysts, desk officers aggressively investigate individuals or groups.¹¹¹ An investigative expert, the desk officer has the overall understanding needed to determine the level of threat an individual or group presents.¹¹² Also, the United Kingdom’s law enforcement and intelligence communities provide the desk officer with all intelligence related to their targets. According to Smith, MI5 and the law enforcement agency participate in a dual-track investigation: MI5 operates as an intelligence component and the law enforcement agency conducts the traditional investigation. At the time of arrest, the desk officer lends interview advice to the police and evaluates collected information and intelligence to identify additional threats.¹¹³

¹⁰⁹ Adapted from Smith.

¹¹⁰ Paul Jonathan Smith, “Counter-Terrorism in the UK—Counterterrorism Structure and the Pursuit of Terrorists,” Center for Homeland Defense and Security, May 3, 2017, <https://www.chds.us/ed/items/1190>.

¹¹¹ Smith.

¹¹² Smith.

¹¹³ Smith.

D. CONCLUSION

The most significant difference between the U.S. intelligence cycle and MI5's process is that the U.S. model contains six components while the MI5 process contains only four, and results in an aggressive response. In MI5, investigators collect information and analysts validate and analyze the data to further investigative efforts. Moreover, this streamlined process expedites investigative efforts by allowing law enforcement to apply targeting intelligence operations to combat criminal organizations and rapidly respond to criminal activity. However, one benefit of the U.S. intelligence cycle is that it provides leadership with strategic options to prepare for future threats and to adapt to crime trends.

The U.S. intelligence liaison officer program and MI5's desk officer system both have their roles within the intelligence function. However, the desk officer concept fulfills more of an investigative support role; the MI5's dual-track process, which differs from the U.S. liaison officer programs (which are primarily used for information collection and information sharing), enhances investigative efforts by paralleling ongoing investigations and trusting analytical personnel with maintaining all information. This may explain why Smith brags that when "colleagues from across the globe, in law enforcement and intelligence, look to the United Kingdom as a model[,] many of them are, quite frankly, envious."¹¹⁴

The following chapter examines the use of intelligence-led policing and highlights the best practices from local U.S. intelligence centers, which include the El Paso, Texas, Multi-Agency Tactical Response Information Exchange, New Jersey Regional Operations and Intelligence Center, and the Santa Fe Police Department Intelligence Center. An intelligence function in each organization is examined to illuminate best practices that could be used in the NMAISIC.

¹¹⁴ Smith.

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IV. U.S. LOCAL INTELLIGENCE BEST PRACTICES

This chapter evaluates the similarities, differences, and best practices between two U.S. local intelligence centers: the El Paso, Texas, Police Department’s Multi-Agency Tactical Response Information Exchange (MATRIX) and the New Jersey Regional Operations and Intelligence Center (ROIC). It also evaluates how each intelligence center operates and supports stakeholders within its area of responsibility, with an understanding that the core of most intelligence centers today consists of state and local law enforcement and criminal intelligence.¹¹⁵ The final section of the chapter examines how the Santa Fe Police Department has applied best practices from other local intelligence centers to address crime within its jurisdiction.

A. EL PASO MULTI-AGENCY TACTICAL RESPONSE INFORMATION EXCHANGE

With a 450-mile radius and population of 2.7 million, El Paso, Texas, is the largest metropolitan area on the U.S.–Mexican border. El Paso is surrounded, as well, with a regional population of approximately 17.8 million, covering New Mexico, western Texas, eastern Arizona, and northern Mexico.¹¹⁶ The city has justifiably allocated resources to ensure the safety of its constituents and critical infrastructure.¹¹⁷ To fulfill this commitment, the El Paso Police Department created MATRIX, whose mission is to “serve as an all-crimes/all hazards tactical information and intelligence hub for the El Paso Police Department and Participating Agencies.”¹¹⁸ In developing MATRIX, the department’s objective was to facilitate more effective and efficient use of sworn law enforcement

¹¹⁵ John Rollins, *Fusion Centers: Issues and Options for Congress*, CRS Order Code RL34070 (Washington, DC: Congressional Research Service, 2008), <https://fas.org/sgp/crs/intel/RL34070.pdf>.

¹¹⁶ “Population,” El Paso Texas, accessed June 23, 2018, <https://www.elpasotexas.gov/economic-development/business-services/data-and-statistics/population>.

¹¹⁷ El Paso Police Department, “MATRIX El Paso Fusion Center Concept of Operations” (retrieved via personal communication, MATRIX Director, June 28, 2018).

¹¹⁸ El Paso Police Department, “‘MATRIX’ Fusion Center” (retrieved via personal communication, MATRIX Director, October 13, 2011).

personnel and resources, and collect information for local criminal investigations.¹¹⁹ The El Paso Police Department focuses primarily on local crime; the fusion center therefore created a counterterrorism capability to share information with other state fusion centers.¹²⁰ This simultaneously provides a framework for maximizing resources to address local crime, which could be shared with other fusion centers.

Like the rest of the country's fusion centers, the primary function of MATRIX involves information sharing and intelligence-led policing. MATRIX's goal is to "provide support and direction through information and intelligence analysis for law enforcement in order to maximize the efficiency and effectiveness of investigations."¹²¹ This process allows the police department to analyze crime threats in its jurisdiction while maximizing its personnel for identifying threats and crime. Furthermore, the collected and analyzed information may be shared with other agencies in the region, allowing several organizations to collectively target crime.

MATRIX capitalizes on four critical capabilities: gathering local information, receiving classified and unclassified information from federal partners, analyzing local implications and threats, and disseminating threat information to government organizations and private sector partners. El Paso's unique geographic location allows for all levels of government to benefit from the analyzed data, which may include drug cartel activity, illegal immigration, or threats of terrorism.

MATRIX also implements a watch process, which helps to "prevent, reduce, and disrupt crime and terrorism through the early warning of all-crimes, all-hazards, and all-threats."¹²² According to the El Paso Police Department, "The Watch is the eyes and ears of the Fusion Center; the most critical operational element within the center."¹²³ The

¹¹⁹ El Paso Police Department, "MATRIX Center Concept of Operations."

¹²⁰ El Paso Police Department.

¹²¹ El Paso Police Department.

¹²² El Paso Police Department, "Critical Operating Capability Policy—Gather: Ability to Gather Locally-Generated Information, Including Suspicious Activity Reporting, Based on Time-Sensitive and Emerging Threats" (retrieved via personal communication, MATRIX Director, June 28, 2018).

¹²³ El Paso Police Department, "MATRIX—Procedures and Protocols."

personnel assigned to the watch assist with emergency responses to critical incidents and investigations and are tasked with the following responsibilities:

1. Maintaining situation awareness of events locally and throughout the world;
2. Completing time-sensitive requests from our vetted partners; and,
3. Coordinating the dissemination of information, as delineated in this document.¹²⁴

The watch process enhances the police department's situational awareness regarding local and global threats that may affect its jurisdiction. The combination of real-time intelligence for local and regional needs with situational awareness of national and global events creates a dome of knowledge for understanding all threats and all hazards.

Using local personnel for information gathering allows leadership to understand the issues and threats occurring within their jurisdiction. However, the ability to receive classified and unclassified information from federal partners is also vital to both the local and national perspective. MATRIX supports the foundational elements of the "National Strategy for Information Sharing," which focuses on "improving the information sharing of homeland security, terrorism, law enforcement information related to terrorism, within and among all levels of governments and the private sector."¹²⁵ Access to the government's most sensitive, controlled, and restricted information is essential for local law enforcement to have a clear understanding of all threats affecting their jurisdiction.

MATRIX collaborates with the El Paso Joint Operations and Intelligence Center to analyze and disseminate information "on current crime trends and patterns and establish forecasts or predictions of future crimes."¹²⁶ Furthermore, MATRIX employs two functional concepts for sharing information:

¹²⁴ El Paso Police Department.

¹²⁵ "National Strategy for Information Sharing: Successes and Challenges in Improving Terrorism-Related Information Sharing," Department of Justice, October 2007, https://nsi.ncirc.gov/documents/National_Strategy_for_Information_Sharing.pdf.

¹²⁶ El Paso Police Department, "Critical Operating Capability Policy—Analyze: Ability to Assess Local Implications of Threat Information through the Use of a Formal Risk Assessment Process" (retrieved via personal communication, MATRIX Director, June 28, 2018).

- Define Requirements: Identify and prioritize analytic production requirements, information needs, and corresponding gathering and reporting efforts, and;
- Inform Decision-makers: Provide appropriate information to inform leadership on tactical, operational, and strategic decisions to mitigate threats.¹²⁷

These concepts, as part of the intelligence cycle, are designed to efficiently help decision-makers understand their options.

Finally, MATRIX plays an important role in the intelligence community and the mission of homeland security by providing actionable intelligence to state, local, and private sector partners. The El Paso Police Department recognizes that information sharing allows the department to

- Provide local context to a given threat report originating from the Federal Government;
- Provide operational and tactical guidance in the form of recommendations; and
- Archive threat information for future review and analysis.¹²⁸

Through this practice, the El Paso Police Department makes its contribution to the information sharing process and sustains an all-hazards model. The flow of local raw data to the intelligence community allows the federal government to transition from a 50,000-foot view to the frontline perspective for a clearer understanding of the issues affecting local jurisdictions.

B. NEW JERSEY REGIONAL OPERATIONS AND INTELLIGENCE CENTER

In 2005, the New Jersey State Police’s criminal investigations branch was researching options for increasing its efficiency and effectiveness; at the time, only a few

¹²⁷ El Paso Police Department.

¹²⁸ El Paso Police Department, “Critical Operating Capability Policy—Disseminate: Ability to Further Disseminate Threat Information to State, Local and Private Sector Entities” (retrieved via personal communication, MATRIX Director, June 28, 2018).

personnel had been tasked with collecting and sharing intelligence.¹²⁹ In 2006, the department opened the Regional Operations and Intelligence Center (ROIC). In addition to the newly developed fusion center, the department developed the “Practical Guide to Intelligence-Led Policing,” which is “currently being integrated within the State Police to create a mission capable force in an ‘all crimes, all hazards, and all threat’ environment.”¹³⁰ The New Jersey State Police intelligence effort has four main components:

1. The reorganization of the investigations division for the rapid deployment of intelligence and investigative assets
2. The implementation of the intelligence cycle process
3. The formation of a Regional Operations and Intelligence Center to provide tactical analysis and situational awareness;
4. and the use of strategic planning and intelligence-driven analyses to set priorities and allocate resources.¹³¹

Realigning an organization is tedious and requires thorough planning. In doing so, the New Jersey State Police relied on a five-stage process to ensure success:

1. An architectural realignment of the organization to remove barriers and promote intelligence and information exchange.
2. A cultural shift to embrace intelligence-led policing philosophies and practices.
3. The re-tooling of the distribution and management of the Statewide Intelligence Management System (SIMS).
4. The creation of a “fusion center,” known as the Regional Operations and Intelligence Center.
5. The implementation of regional accountability plans for managing intelligence and enforcement operations related to organized criminal activities.¹³²

¹²⁹ Fuentes, “Practical Guide to Intelligence-Led Policing.”

¹³⁰ Fuentes.

¹³¹ Fuentes.

¹³² Fuentes.

The department had to cautiously overcome concerns from the public and leadership that an intelligence-led policing model would take away from traditional community policing efforts. Before 9/11, the state police, and other local law enforcement agencies, primarily followed a community-policing designed to build relationships with the community, address community problems, and enhance the quality of life for all citizens.¹³³ However, after the 9/11, the 9/11 Commission criticized local law enforcement and the intelligence community for failing to share information.¹³⁴ To fill this intelligence gap, law enforcement organizations collaborated to collect and share information: a policing model that has become known as intelligence-led policing. On July 30, 2007, Chief Mark A. Marshall from the Smithfield, Virginia, Police Department, perhaps said it best:

Naturally, there have been repeated calls for federal authorities to coordinate, develop, and implement a solution. Given the nature and context of policing in the U.S. however, “a federal ‘top-down’ answer would not be effective. It is local and state law enforcement that provides the majority of law enforcement service in this country. It is the local, tribal, county and state agencies that capture and retain the vast majority of data from which ‘nuggets of information’ can be mined to protect our homeland.”¹³⁵

Although state fusion centers and federal law enforcement may be the collectors—and sharers—of information, local and state law enforcement are at the tip of the spear in addressing crime and terrorism. Arguably, the homeland security mission would be insufficient without the involvement of local and state law enforcement.

The New Jersey State Police deploys overt and covert operations to collect information. As defined by Carter, covert action is “influencing events and behavior in other states or groups without revealing one’s involvement.”¹³⁶ Examples of covert

¹³³ Jack Greene, “Community Policing in America: Changing the Nature, Structure, and Function of the Police,” *Policies, Process, and Decisions of the Criminal Justice System* 3 (2000): 299–370.

¹³⁴ Sam McGhee, “Impacting the Evolution of Information Sharing in the Post-9/11 United States,” *The Police Chief Magazine* (February 2015): 26–31.

¹³⁵ Mark A. Marshall, “Understanding the National Data Exchange (N-DEx) System,” *Police One*, July 30, 2007, <https://www.policeone.com/communications/articles/1295732-Understanding-the-National-Data-Exchange-N-DEx-System/>.

¹³⁶ Carter, *Law Enforcement Intelligence Operations*.

operations include the use of undercover personnel, surveillance, eavesdropping, wiretaps, jail recordings, global positioning devices, and cell phone analysis. However, overt operations, which are obvious investigative methods, use the “collection of intelligence openly without concealment”—for example, a police detective publicly executing a search warrant on a suspect’s vehicle.¹³⁷ This application of information collection is more effective than the traditional fusion center process of relying on other agencies and open-source data. This research has determined that both overt and covert applications are effective tools utilized by local intelligence centers and regional organizations such as MI5.

The ROIC’s three intelligence-led functions are watch operations, analysis, and asset management.¹³⁸ As highlighted by Fuentes, “During daily operations, these functions are performed to create a complete picture of the current operating environment throughout the state of New Jersey, including external factors that may also present immediate concerns as well as the resources available to address them.”¹³⁹ Figure 7 depicts the ROIC’s functions.

Watch Operations	Analysis	Asset Management
<ul style="list-style-type: none"> • The Superintendent’s Daily Briefing • Command ‘Blackberry’ messages • Periodic weather and traffic updates • GIS mapping for Operations Ceasefire and Safe-Cities 	<ul style="list-style-type: none"> • Intelligence support for Investigations • Threat assessments • Intelligence reports and briefings • Criminal financial analysis • Telephone-toll analysis • Association, link, and network analysis • Crime-pattern analysis • Criminal case correlation • Critical infrastructure analysis and reports on target hardening and threat advisories 	<ul style="list-style-type: none"> • Asset availability • Asset deployment Tracking • Outreach to partner agencies to determine asset availability/status

Figure 7. ROIC’s Three Intelligence-Led Policing Functions¹⁴⁰

¹³⁷ Free Dictionary, s.v. “Overt Operation,” accessed June 24, 2018, <https://www.thefreedictionary.com/overt+operation>.

¹³⁸ Fuentes, “Practical Guide to Intelligence-Led Policing.”

¹³⁹ Fuentes.

¹⁴⁰ Adapted from Fuentes.

Watch operations are coordinated with the intelligence analyst to provide the fifty-foot-view concept for the jurisdiction, and to help officers receive and respond to alerts.¹⁴¹ The analyst, in turn, provides tactical and operational intelligence for the department as a whole, along with its partners. Meanwhile, the asset management section is responsible for maintaining awareness of all department and partner assets “for the purpose of coordinated response to threats and incidents.”¹⁴² Together, these three functions provide situational awareness of potential threats, analytical ability to address emerging threats, and the ability to deploy resources during an emergency. During an interview, Colonel Fuentes explained how the ROIC plays an essential role in intelligence-led policing, which he calls a useful information collection and analysis tool, adding, “The ROIC has successfully blended information and analysis to produce intelligence for the good of the state, not just on homeland security/terrorism levels, but also along the lines of traffic control, anti-gang initiatives and community policing.”¹⁴³ The ROIC is a perfect example of how local law enforcement can incorporate intelligence-led policing while also maintaining community-policing initiatives. The best practices from the ROIC and recommendations identified in the New Jersey State Police’s “Practical Guide to Intelligence-Led Policing” are used for analysis in the following case study.

C. CASE STUDY: SANTA FE POLICE DEPARTMENT CRIMINAL INTELLIGENCE CENTER

1. The Problem

Santa Fe is the capital of and fourth largest city in New Mexico.¹⁴⁴ Even still, from July 1, 2014, to July 1, 2016, its police department began to respond to newly annexed areas encompassing approximately 5,173.42 acres, a population of 13,891, and 4,767

¹⁴¹ Fuentes.

¹⁴² Fuentes.

¹⁴³ New Jersey Office of Emergency Management, “Welcome to the ROIC,” *OEM Bulletin NJ* (Fall 2008): 1–2, www.ready.nj.gov.

¹⁴⁴ “About Santa Fe,” City of Santa Fe, New Mexico, accessed June 21, 2018, https://www.santafe.nm.gov/about_santa_fe.

housing units.¹⁴⁵ Currently, the Santa Fe Police Department has approximately thirty vacant positions; these vacancies, combined with population growth, has created new crime challenges. Furthermore, the city of Santa Fe has been unable to track organized crime trends beyond the jurisdiction, has lacked technological solutions to effectively target emerging crime trends, and, most importantly, has non-existent regional information sharing with other local, state, and tribal law enforcement organizations. In 2017, the department's command staff sought a modern tactic to supplement the traditional policing efforts to address the increase in crime.

2. The Plan

In February 2017, the Santa Fe Police Department decided to evaluate the effectiveness of its criminal investigations division and identify best practices from other agencies to maximize available resources. As a result, the department's intelligence-led policing project developed the following objectives:

- Reorganize criminal investigations to close information and intelligence gaps
- Implement technological solutions, to include social media monitoring, access capabilities to public school surveillance cameras, video enhancement software, person and business search databases, covert surveillance cameras, etc.
- Implement targeting capabilities for identifying, disrupting, and dismantling criminal organizations
- Create a privacy policy and intelligence guidelines as required by 28 CFR Part 23, with clear procedures for implementation and training for all criminal investigations division personnel

¹⁴⁵ City of Santa Fe GIS, "Annexation Areas" (internal document City of Santa Fe, New Mexico, April 28, 2010).

- Aggressively pursue information collection capabilities and share actionable intelligence products with investigative personnel
- Establish a rapid intelligence component to support traditional investigative efforts¹⁴⁶

The command staff determined that the rapid deployment of intelligence was key to targeting/responding to threats. In *rapid intelligence*, sworn investigative personnel assigned to the criminal intelligence unit are tasked with paralleling the traditional criminal investigation approach—for example, they may analyze social media or gather information from cell phone towers.

The Santa Fe Police Department reorganization involved three tasks. First, the department needed to find a location to facilitate information sharing between multiple intelligence personnel—the location had to house an intelligence officer, multiple detectives with criminal intelligence responsibilities, and several wall monitors and workstations. Second, to enhance intelligence knowledge and expertise, all assigned personnel attended intelligence courses provided by the Department of Homeland Security and other accredited training organizations. Finally, to facilitate information sharing among agencies within the region, the department held an opening ceremony for all local, state, and tribal law enforcement agencies to display the intelligence center’s technological capabilities. Like many rural and tribal police departments around the country, these agencies have limited personnel, resources, and communications; this ceremony therefore stimulated interest and participation.

3. Summary

As a result of the reorganization, the Santa Fe Police department was able to close information and intelligence gaps, establish proficient technological solutions, and enhance

¹⁴⁶ Matthew Champlin, Jimmie Montoya, David Webb, and Steve Cosban, “Criminal Investigations Division SWOT Analysis” (retrieved via personal communication, City of Santa Fe Police Department, June 13, 2018).

information sharing with regional law enforcement organizations. For instance, the department was able to:

- Disrupt a Mexican drug cartel trafficking organization
- Solve of a series of robberies committed by a violent juvenile gang
- Provide intelligence support during Special Weapons And Tactics (SWAT) operations
- Provide surveillance systems to city public schools
- Advanced its cell phone analysis capabilities
- Enhance its video and digital media applications

D. COMPARATIVE ANALYSIS

Although each of the three reviewed intelligence centers—El Paso’s MATRIX, New Jersey’s Regional Operations Center, and the Santa Fe Police Department—shares information with local partners, maintains intelligence functions, operates under a hierarchy, and incorporates best practices, they are not all the same. This chapter highlights how important it is for intelligence centers to adjust their missions to support the other law enforcement organizations in their areas.

MATRIX and the ROIC take on an independent role to address an operational gap with already established resources. Rather than soliciting additional resources, the organizations simply realigned their investigative personnel to fulfill an intelligence role. Both centers identify the importance of the intelligence cycle to address local crime trends but also remain committed to the homeland security mission of information sharing with all levels of government.

Watch operations—seen in all three centers—provide real-time, open-source information that has been historically untouched during day-to-day law enforcement operations. A watch center provides situational awareness not only to intelligence personnel, but also to command staff tasked with making life-saving/life-taking decisions.

For example, the Santa Fe Police Department's intelligence center is not a 24/7 watch center like those in MATRIX or the ROIC; however, it is activated during high-risk incidents such as SWAT deployment and follows a four-phase, high-risk operation process: first, the personnel pre-plan for high-risk operations by collecting all information on targeted individuals and their associates, as well as information about the identified location. Next, they deploy covert operations, such as activating the target's cell phone to track his or her GPS movement, or deploying covert surveillance cameras to actively monitor the activity at the targeted location. Third, during the operation itself, intelligence personnel aggressively monitor surveillance cameras to provide real-time information to the SWAT commander about changes and potential threats. Finally, once the operation is complete, intelligence personnel debrief anyone who was arrested, provide access to the scene for investigation, and analyze all seized electronic devices. In return, all analyzed information is given to investigative personnel highlighting incriminating content and identifying additional individuals who could be targeted for their criminal involvement.

Another similarity between MATRIX and the ROIC is their use of analysis and technology. Both provide intelligence support for investigations, threat assessments, intelligence reports and briefings, crime analysis, and critical infrastructure threat analysis. New Jersey and El Paso each have unique infrastructure requirements that, in turn, require unique risk assessment and expertise. MATRIX and the ROIC identified the importance for decision makers to quickly utilize resources to address any potential threats to its critical infrastructure and link any potential threats to a criminal element.

The key argument of this research is that investigative and criminal analytical capability—as seen with MATRIX and the ROIC—does not exist within the NMAIC. The ROIC and MATRIX realigned investigative personnel, along with other personnel, to enhance intelligence capabilities. In developing the Santa Fe Police Department intelligence center, command staff mirrored the best practices identified in MATRIX and the ROIC and followed suit, realigning investigative personnel to establish an efficient intelligence function. Furthermore, in today's modern policing, the intelligence function requires technological applications and software for the collection of information. For example, the Santa Fe Police Department intelligence center prioritized its technology and

software for the analysis of social media, surveillance video, other open-source data, cell phones, and cell towers. Understanding the importance of information collection, the department command staff solicited funds to purchase and deploy cell phone analysis software to its personnel assigned to the High Intensity Drug Trafficking Area Task Force. Now, SFPD intelligence personnel are obtaining valuable information from cell phones seized from individuals involved in drug trafficking.

The ROIC and MATRIX also successfully manage resources. In the event of a public safety crisis, critical incident, or terrorist attack, both intelligence centers are fully capable of quickly identifying, tracking, and deploying the necessary resources for the unfolding event. Some of these resources may include armored vehicles, hazardous material equipment, or other emergency equipment stored in key locations.

In conclusion, although modern intelligence centers have taken on an all-hazards approach, the essential function of fusion centers involves the tactical and strategic analysis of crime. Moreover, this research has proven the importance of fusion centers breaking away from the status quo and adapting to modern policing tactics. The next, and final, chapter in this thesis provides policy recommendations and suggests areas for future research.

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V. POLICY RECOMMENDATIONS AND CONCLUSION

This research project embarked with a few preconceived notions and expectations—primarily, that an intelligence-led policing model was not a function of an intelligence fusion center and that intelligence fusion centers were designed specifically to share information regarding threats of terrorism. This research has shown, however, that several fusion centers have maintained the primary mission of combating terrorism while still broadening their focus to address all crimes or all-hazards.

In Chapter II, this thesis examined the New Mexico intelligence system and its challenges. Chapter III highlighted key intelligence functions as recommended by the Department of Justice and other experts, including a review of liaison officer programs and the United Kingdom’s MI5 intelligence model. Chapter IV provided an analysis of U.S. local intelligence best practices, looking specifically at the El Paso Multi-Agency Tactical Response Information Exchange, the New Jersey Regional Operations and Intelligence Center, and the Santa Fe Police Department’s Criminal Intelligence and Analysis Center. Finally, this chapter identifies key lessons learned and provides the following recommendations for New Mexico:

1. Realign the NMASIC to fall within the authority of NMSP
2. Implement a hybrid intelligence cycle to support the local, state, tribal, and federal missions
3. Restructure the intelligence liaison officer program and apply the desk officer concept in each of NMSP’s twelve districts
4. Pursue future research on the implementation of an intelligence center for the United States’ twelve tribal regions

A. RECOMMENDATION #1: REALIGNING THE NMASIC

Although this recommendation may lead to political controversy, the NMASIC must be realigned under the NMSP if the state wants to serve its unique and diverse population effectively. This research has shown that the current state intelligence center cannot collect and share valuable information among local, state, tribal, and federal organizations. The common theme in this research is that information sharing is the heart of intelligence—a vital function New Mexico currently lacks.

Shifting NMASIC personnel to NMSP gives them full access to law enforcement–sensitive information and would provide intelligence support for ongoing operations. As explained in Chapter IV, the HSIN database has not been effective; although it is essential for the sharing of NMASIC core line products, it does not provide the tactical analysis needed for local, state, and tribal law enforcement operations—which is essential for situational awareness and threat assessment. Although the HSIN is an important tool, access to the NMSP Criminal Justice Information System database is also needed to limit intelligence gaps in rural and tribal communities.

Moving NMASIC under the NMSP will also improve the center’s emergency response capability. New Mexico’s law enforcement routinely addresses critical incidents such as SWAT team deployments, covert and overt operations, high-risk operations, and incidents affecting New Mexico’s arterial roadways. Adopting a watch concept like that of other centers would allow NMASIC to take advantage of rapid intelligence resources staged at NMSP’s three regional communications centers.

Finally, a realignment would increase NMSP’s networking and coverage within the state and national arena. NMSP supports the FBI Joint Terrorism Task Force full time and coordinates state involvement within the task force. Also, NMSP assists tribal governments through the application of “cross deputization agreements,” which allows NMSP personnel to enter tribal territory to collect and share valuable information about ongoing investigations. No other New Mexico law enforcement or DHSEM has this unique authority.

B. RECOMMENDATION #2: HYBRID INTELLIGENCE CYCLE

The intelligence cycle is the underlining framework for any intelligence center. However, effective intelligence centers tend to modify their intelligence cycles to serve the needs of the organizations within their area of responsibility. Along these lines, the NMASIC should incorporate a hybrid intelligence cycle to facilitate the information collection and sharing efforts of all stakeholders. Figure 8 is a diagram of the proposed hybrid intelligence cycle.



Figure 8. Hybrid Intelligence Cycle Process

This proposed model allows leadership to maintain strategic analysis and forecasting capabilities to address all hazards and threats, as depicted in the outer layer of the intelligence cycle, while also supporting the tactical intelligence function for first responders and investigative operations, defined within the core of the hybrid intelligence cycle. This core allows law enforcement to apply targeting intelligence operations to combat criminal organizations and rapidly respond to criminal activity. The hybrid model blends tactical and strategic analysis, which allows local, state, and tribal law enforcement to engage in day-to-day operations by identifying individual targets and groups while simultaneously collecting information to contribute to the national information sharing initiative.

C. RECOMMENDATION #3: INTELLIGENCE LIAISON OFFICER PROGRAM AND THE DESK OFFICER CONCEPT

It is difficult for fusion centers to establish and maintain direct contact with several jurisdictions. Like many state fusion centers, the NMASIC developed its ILO program to facilitate the information-sharing process.¹⁴⁷ Transitioning the NMASIC to the NMSP allows the ILO program to expand on its current local, state, and tribal partners.

As previously mentioned, the NMASIC has had trouble recruiting rural and tribal law enforcement due to staffing shortages, which inhibits the continuity of the program. However, if NMSP intelligence and analysis staff in each of the twelve districts were realigned into desk officer roles (like in the UK model) the department could provide support and organizational outreach to rural and tribal law enforcement agencies. The role of a desk officer is much like the role of an intelligence analyst, with an emphasis on collecting and disseminating information, assessing threats, collaborating with other agencies, and advising.¹⁴⁸ However, unlike U.S. intelligence analysts, desk officers are aggressive investigators.¹⁴⁹ A desk officer system allows intelligence officers to work in concert with the officers who are conducting a traditional investigation. Such a system would further allow NMSP to collect vital information from rural and tribal communities to proactively target criminal organizations around the state.

D. OPPORTUNITIES FOR FUTURE RESEARCH

Further research should focus on the creation of intelligence centers equivalent to state fusion centers for the twelve tribal regions in the United States. For example, the Navajo Region, which is policed by the Bureau of Indian Affairs, covers Utah, Colorado, a majority of Arizona, and New Mexico. The Bureau of Indian Affairs provides traditional law enforcement services, including patrol, criminal investigations, and community-oriented policing. However, no intelligence component supports the Navajo Region or

¹⁴⁷ Department of Homeland Security and Department of Justice, *Establishing a Fusion Center Liaison Officer Program*.

¹⁴⁸ Smith, "Counter-Terrorism in the UK."

¹⁴⁹ Smith.

connects any of the twelve tribal regions. Identifying an avenue for the creation of an intelligence center in each of these regions would not only enhance local, state, and federal organizations' information collection and sharing initiatives but would also provide a pathway for tribal communities to participate in and benefit from the information-sharing process.

E. CONCLUSION

Research and practice show that intelligence fusion centers should conform to law enforcement needs, particularly intelligence-led policing. Intelligence-led policing is no longer a concept confined to urban policing; rural and tribal communities could benefit from the practice as well. To develop a robust intelligence-led policing model for the state and its rural and tribal communities, New Mexico must adopt an all-hazards approach for the information sharing process. The reorganization of the NMASIC will enhance the New Mexico network, which is essential for leveraging resources to detect and disrupt organized criminal organizations and terrorism. With a redefined NMASIC mission, all participating agencies will have a universal intelligence-led policing definition, maintain and enhance community-policing efforts, and establish a platform for contribution to the domestic intelligence cycle, essentially fusing New Mexico's four-corner region.

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